

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 09 2019

UNITED STATES DISTRICT COURT
for theMITCHELL R. ELPERS
CLERKMICHAEL JAMES NISSEN
Petitioner

v.

Case No. 19cv827 WJ-LF
(Supplied by Clerk of Court)WARDEN JUDD
UNITED STATES OF AMERICA
Respondent
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: MICHAEL JAMES NISSEN
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: CIBOLA COUNTY CORRECTIONS CENTER
(b) Address: P.O. BOX, 3540
MILAN, NEW MEXICO 87021
(c) Your identification number: 02508151
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: DISTRICT COURT OF NEW MEXICO
333 LOMAS BLVD NW ALBUQ, NM 87102 (UNITED STATES DISTRICT COURT)
(b) Docket number of criminal case: 1:19-CR-00077-JB
(c) Date of sentencing: DATE NOT KNOWN
☐ Being held on an immigration charge
☐ Other (explain):

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☒ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings

☐ Other (explain): CHALLENGING THE CONSTITUTIONAL VALIDITY BEING A NON CITIZEN NATIONAL OF A FOREIGN STATE AND DOMICILED THEREIN. THE 5TH, 11TH, 14TH, 23RD AMENDMENTS

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: UNITED STATES DISTRICT COURT

333 LOMAS BLVD NW, ALBUQ, NM 87102

(b) Docket number, case number, or opinion number: 1:19-CR-00077-JB

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

CHALLENGING THE CONSTITUTIONAL VALIDITY OF THE 5TH, 11TH, 14TH, 23RD AMENDMENTS BEING A NON CITIZEN NATIONAL OF A FOREIGN STATE AND DOMICILED THEREIN.

(d) Date of the decision or action: 09/03/2019

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not appeal: POST TRIAL AWAITING P.S.R AND SENTENCING

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not file a second appeal:

POST TRIAL
AWAITING P.S.R AND SENTENCING9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court:

(2) Date of filing:

(3) Docket number, case number, or opinion number:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) If you answered "No," explain why you did not file a third appeal:

POST TRIAL
AWAITING P.S.R AND SENTENCING10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☒ Yes☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☒ No

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If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody:

- (b) Date of the removal or reinstatement order:

- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes☐ No

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If "Yes," provide:

- (1) Date of filing:
- (2) Case number:
- (3) Result:
- (4) Date of result:
- (5) Issues raised:

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes☒ No

If "Yes," provide:

- (1) Name of court:
- (2) Date of filing:
- (3) Case number:
- (4) Result:
- (5) Date of result:
- (6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes☒ No

If "Yes," provide:

- (a) Kind of petition, motion, or application:
- (b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: ARTICLE XI, CLEARLY STATES THE CONSTITUTION SUPERCEDES ALL LAW. PETITIONERS 1st, 4th, 5th, 6th, 11th, 14th, AND 23rd AMENDMENTS ALL VIOLATED AS A UNION STATE NON CITIZEN NATIONAL, 8 U.S.C. § 1452, 8 U.S.C. § 1101(A)(21)

(a) Supporting facts (Be brief. Do not cite cases or law.):

SUPPORTING FACTS MEMORANDUM ATTACHED

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes

☒ No

GROUND TWO: 6th AMENDMENT, INEFFECTIVE ASSISTANCE OF COUNSEL, DUE PROCESS, EQUAL RIGHTS OF PROTECTION.

(a) Supporting facts (Be brief. Do not cite cases or law.):

DEFENSE COUNSEL HAS BEEN REPORTED TO NEW MEXICO DISCIPLINARY BOARD FOR INEFFECTIVE ASSISTANCE OF COUNSEL.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE:

(a) Supporting facts (Be brief. Do not cite cases or law.):

*

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

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GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: **REVERSE AND REMAND CONVICTION
DUE TO LACK OF JURISDICTION BY THE CONSTITUTION
AND U.S.C. STATUTES.**

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

09/05/2019

Michael J. Nissen
Signature of Petitioner

Signature of Attorney or other authorized person, if any

GROUND I

1
2 COMES NOW, PLAINTIFF, MICHAEL J. NISSEN,
3 (HEREINAFTER, PLAINTIFF) IN THE ABOVE
4 ENTITLED ACTION. IN PLAINTIFFS OPENING
5 STATEMENT, THE PLAINTIFF WILL EXPLAIN
6 IN A SHORT MEMORANDUM THE FOLLOWING
7 OF WHY THE UNITED STATES FEDERAL
8 DISTRICT COURT OF NEW MEXICO, LACKS
9 JURISDICTION BY WAY OF THE UNITED
10 STATES CONSTITUTION TO LITIGATE, ADJUDICATE,
11 OR CONVICT ANY NON CITIZEN NATIONAL,
12 OR NON RESIDENT ALIEN OUTSIDE THEIR
13 DEFACTO SOVEREIGN GOVERNMENT MONARCHY
14 RULE OF ADMIRALITY, MARITIME, OR ENGLISH
15 COMMON LAW. THE UNITED STATES, DISTRICT
16 OF COLUMBIA, THE SEAT OF THE UNITED
17 STATES FEDERAL GOVERNMENT IS A THREE
18 FOREIGN NATION CORPORATION. THE THREE
19 FOREIGN NATIONS ARE THE VATICAN, THE
20 CITY OF LONDON, AND THE DISTRICT OF
21 COLUMBIA IN WASHINGTON, D.C. IN THE
22 IMMEDIATE AND ANTICIPATED FORTHCOMING,
23 PLAINTIFF WILL LIST SUPPORTING FACTS
24 IN THE FOLLOWING STATEMENT, HE THE
25 PLAINTIFF, BEING A CITIZEN OF A
26 FOREIGN STATE, NATIONALITY AND DOMICILED
27 THEREIN, IS IN CUSTODY FOR AN ACT DONE
28 OR OMITTED UNDER ANY ALLEGED RIGHT,

1

2 TITLE, AUTHORITY, PRIVILEGE, PROTECTION,
3 OR EXEMPTION CLAIMED UNDER THE
4 COMMISSION ORDER OR SANCTION OF ANY
5 FOREIGN STATE, OR UNDER COLOR THEREOF.
6 THE VALIDITY AND EFFECT OF WHICH
7 DEPENDS UPON THE LAWS OF NATION, THE
8 UNITED STATES OF AMERICA CONSTITUTION
9 IS THE SUPREME LAW OF THE LAND OF
10 WHICH PLAINTIFFS FEET STAND ON.

11 THE UNITED STATES CONSTITUTION SUPERCEDES
12 ALL UNCONSTITUTIONAL STATUTES, WHETHER
13 IT BE POLITICAL/STATUTORY OF THE UNION
14 STATES, OR LEGISLATIVE/STATUTORY OF A
15 DEFACTO UNITED STATES FEDERAL GOVERNMENT
16 CORPORATION.

17 NATIONALITY AND DOMICILE OF THE
18 PLAINTIFF, ALL FIFTY FOUR YEARS SINCE
19 BIRTH, IS THAT OF THE NEW MEXICO REPUBLIC,
20 A UNION STATE OF THE FIFTY COLLECTIVE
21 UNION STATES. THE PLAINTIFFS AND THE
22 PEOPLE OF THE STATE HAVE THE SOLE AND
23 EXCLUSIVE RIGHT TO GOVERN THEMSELVES
24 AS A FREE, SOVEREIGN AND INDEPENDANT
25 STATE. ALL NON CITIZEN NATIONALS OF
26 THE REPUBLIC UNION STATE OF NEW MEXICO
27 ARE BORN EQUALLY FREE, AND HAVE CERTAIN
28 NATURAL, INHERENT AND INALIENABLE

1
2 RIGHTS, AMONG WHICH ARE THE RIGHTS OF
3 ENJOYING AND DEFENDING LIFE, LIBERTY,
4 OF ACQUIRING, POSSESSING AND PROTECTING
5 PROPERTY, AND OF SEEKING AND OBTAINING
6 SAFETY AND HAPPINESS. IN CLOSING,
7 PLAINTIFF HAS NO CONTACTS WITH THE
8 UNITED STATES FEDERAL GOVERNMENT,
9 IS NOT IN FEDERAL POSSESSION, AND IS
10 NOT DOMICILED ON FEDERAL TERRITORY.

11 WHEREFORE, THE PLAINTIFF
12 SEEKS THAT THE HONORABLE COURT OF THE
13 UNITED STATES DISTRICT COURT REVERSES
14 AND REMANDS THE RECENT ADJUDICATION
15 OF PLAINTIFF FOR LACK OF JURISDICTION
16 OVER A NON CITIZEN NATIONAL OF THE
17 REPUBLIC UNION STATE OF NEW MEXICO.

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DATE: 09/04/2019

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RESPECTFULLY SUBMITTED

Michael J. Nissen

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MICHAEL J. NISSEN

GROUND TWO

1 COMES NOW, MICHAEL J. NISSEN, DEFENDANT / CLIENT IN
2 THE ABOVE ENTITLED ACTION (HEREIN AFTER, DEFENDANT / CLIENT).
3 TO WRITE ABOUT THE AFFIRMATIVE EGREGIOUS MALFEASONS
4 MALICIOUS LEGAL MALPRACTICE OF KEN GLERIA AND
5 ASSOCIATES. A.B.A.'S MODEL RULES OF PROFESSIONAL
6 ETHICS CONDUCT ADMINISTERED THROUGHOUT THEIR
7 FOUR MONTHS OF AN CONTRACTIAL AGREEMENT THAT
8 WAS SIGNED AFTER THE DEFENDANT AND KEN GLERIA
9 AND ASSOCIATES VERBALLY AGREED TO THE FACTS THAT
10 THIS WAS A DEFENSIBLE CASE, KEN GLERIA AND
11 ASSOCIATES CAME TO CIBOLA COUNTY CORRECTIONS CENTER
12 ON A \$500.⁰⁰ DOLLAR ONE DAY TRIP TO DISCUSS THE CASE
13 AND PUT FORTH THEIR PROFESSIONAL KNOWLEDGE AND
14 DISCUSSION ON SAID CASE WITH THE FACTS PRESENTED
15 TO KEN GLERIA AND ASSOCIATES FROM THE UNITED
16 STATES ASSISTANT DISTRICT PROSECUTORS DISCOVERY
17 FILE. UPON AGREEMENT FROM MICHAEL J. NISSEN AND
18 KEN GLERIA AND ASSOCIATES, A CONTRACT WAS THEN
19 SIGNED FOR KEN GLERIA AND ASSOCIATES TO BE LEGAL
20 ASSISTANCE IN THE DEFENDANTS DEFENSE UNDER THE
21 SIXTH CONSTITUTIONAL AMENDMENT. KEN GLERIA AND
22 ASSOCIATES PRACTICING LAWYERS SHALL PROVIDE
23 COMPETENT REPRESENTATION FOR THE CLIENT.
24 COMPETENT REPRESENTATION REQUIRES THE LEGAL
25 KNOWLEDGE, SKILL, THOROUGH AND PREPERATION
26 REASONABLY NECESSARY FOR THE REPRESENTATION.
27 [SMITH V. LEWIS, 13 CAL. 3D 349.]. ISSUES RELATING
28 TO THE COMPETENCY OF LEGAL RESEARCH ARE ALSO

1 RAISED IN CLAIMS FOR MALICIOUS LEGAL MALPRACTICE
2 OF DEFENSE COUNSEL, AND IN CLAIMED VIOLATIONS
3 OF THE SIXTH CONSTITUTIONAL AMENDMENT RIGHTS
4 TO EFFECTIVE ASSISTANCE OF COUNSEL.
5 [PEOPLE V. LEWIS, 13 CAL. 3D 349], THE KNOWLEDGE
6 AND ABILITY TO USE FUNDAMENTAL LEGAL RESEARCH
7 TOOLS AND TO IMPLEMENT AN EFFECTIVE AND EFFICIENT
8 RESEARCH PLAN MUST BECOME PART AND PARCEL OF
9 EVERY LAWYERS TRAINING IF SHE OR HE IS TO
10 PROVIDE COMPETENT REPRESENTATION AND UPHOLD THE
11 STANDARDS OF THE LEGAL PROFESSION. KEN GLERIA
12 AND ASSOCIATES GUARANTEED DEFENDANT AMPLE
13 TIME TO PREPARE FOR DEFENSE OF CASE, KNOWING
14 THAT CLIENT WAS IN FEDERAL UNITED STATES
15 MARSHALS CUSTODY COURT ORDERED INCARCERATION.
16 THE DEFENDANT BEING INCARCERATED COULD NOT LEAVE
17 THE INSTITUTION FOR ANY REASONS, THE GUARANTEE
18 WAS THAT KEN GLERIA AND ASSOCIATES COULD AND WOULD
19 PROVIDE AMPLE TIME TO COME AND PREPARE FOR THE
20 CASE TO BE TRIED IN COURT OF A NOT GUILTY PLEA.
21 HOWEVER THE TIME GUARANTEED TO BE AN EFFECTIVE
22 ASSISTANCE OF COUNSEL NEVER TRANSPIRED OR
23 MATERIALIZED, WHICH CAN BE BROUGHT FORTH AND
24 SEEN BY THE LACK OF APPOINTMENT THAT HAVE TO
25 BE ARRANGED FOR INADVANCE NOTICE PER CORE
26 CIVIL CORRECTIONS CENTER RULES AND REGULATIONS
27 FOR LAWYER/CLIENT VISITS. THE LACK OF TIME TO
28 PREPARE AND INSTRUCTIONS FROM CLIENT IN

1 PRESENTATION OF DEFENSE IS WHY THIS LETTER IS BEING
2 WRITTEN AND SENT TO THE NEW MEXICO DISCIPLINARY
3 BOARD FOR A VARIETY OF REASONS THAT WILL BE
4 LISTED FORTHCOMING, THIS IS A CONSTITUTIONAL
5 FIFTH, SIXTH, EIGHTH, AND FOURTEENTH AMENDMENT
6 VIOLATION OF DUE PROCESS OF LAW, AND EQUAL RIGHTS
7 OF PROTECTION. KEN GLERIA AND ASSOCIATES LACK
8 OF SAID AMPLE TIME TO PREPARE FOR TRIAL OF AN
9 EFFECTIVE EFFICIENT AND SUFFICIENT COLLATERAL
10 ATTACK OF WITNESSES, DOCUMENTS, FILMS, OR OF
11 THE REST OF EVIDENCE PROVIDED BY THE UNITED
12 STATES ASSISTANT PROSECUTORS DISCOVERY FILE
13 NEVER MATERIALIZED. THE DEFENDANT WAS NEVER
14 NOTIFIED OF THE EVIDENTIARY HEARING, WHICH
15 IS A VERY IMPORTANT PART OF THE DUE PROCESS OF LAW,
16 AND EQUAL RIGHTS OF PROTECTION GUARANTEED BY
17 THE CONSTITUTION, THE EVIDENCE IN THE UNITED
18 STATES DISTRICT PROSECUTORS DISCOVERY IS CONTRA -
19 DICTING TO ITSELF AND SHOWS PERJURY OF
20 TESTIMONY OF UNITED STATES DISTRICT PROSECUTORS
21 WITNESSES THAT DEFENSE COUNSEL NEVER PRESENTED
22 OR REBUTED AT ANY POINT OF THE PROCEEDINGS.
23 WHICH WAS VERY PERTINENT TO THE EVIDENCE THAT
24 THE UNITED STATES DISTRICT PROSECUTOR BRANG
25 FOWARD IN SUPPORT OF GOVERNMENT PROSECUTION
26 OF DEFENDANT. THE FALLACIOUS ACTIONS AND LACK
27 OF DUE PROCESS OF LAW, ALONG WITH GROTESQUE ACTIONS
28 OF DEFENSE COUNSEL IS ENOUGH PROOF TO SHOW

1 AN INCOMPETENT SERIOUS VIOLATION OF THE A.B.A.'S
2 MODEL RULES OF PROFESSIONAL ETHICS CONDUCT OF
3 KEN GLERIA AND ASSOCIATES.

4 AT THE HEARING FOR PRESENTATION OF
5 COMPETENCY TO STAND TRIAL FOR DEFENDANT, THE
6 PROSECUTION AND DEFENSE LAWYER'S KEN GLERIA AND
7 ASSOCIATES USED A COURT APPOINTED PHYSIATRIST
8 REPORT FROM PHD, DR. MERCEDES MARSHAL WHICH
9 NEVER HAPPENED. THE REPORT PRESENTED BY THE
10 UNITED STATES DISTRICT PROSECUTOR, WAS A
11 VEXATIOUS FRAUDULENT RERORT SENT BY PHD, DR.
12 MERCEDES MARSHAL. BOTH TIMES PHD, DR. MERCEDES
13 MARSHAL CAME TO CORE CIVIL CORRECTIONS CENTER
14 SHE WAS DENIED CONSENT BY DEFENDANT AND
15 SENT BACK EMPTY HANDED. DEFENDANT REFUSED
16 INTERVIEW BOTH TIMES IN THE MONTH OF
17 FEBURARY, 2019. ONE MORE NOTE OF CONCERN, ABOUT
18 PHD, DR. MERCEDES MARSHAL, LAST TIME DEFENDANT
19 CHECKED "HIPAA" WAS PROTECTED BY THE PATIENT
20 CONFIDENTIALITY ACT, OR THE PATIENT INFORMATION
21 ACT. EITHER, OR, PHD, DR. MERCEDES MARSHAL,
22 PROSECUTION, KEN GLERIA AND ASSOCIATES VIOLATED
23 DUE PROCESS OF LAW, AND EQUAL RIGHTS OF PROTECTION
24 GUARANTEED BY THE CONSTITUTION. HOWEVER THE
25 ONLY COLLATERAL ATTACK PRESENTED BY KEN
26 GLERIA AND ASSOCIATES WAS CROSS EXAMINING OF
27 THE UNITED STATES DISTRICT PROSECUTION WITNESSES
28 WHICH, AS PREVIOUSLY STATED, THE DEFENDANT DISAGREED

1 WITH AS DEFENSE COUNSEL DISREGARDED PREVIOUS
2 INSTRUCTIONS ON PRESENTING PHYSICAL EVIDENCE
3 AGAINST WITNESSES TO THE COURT AND JURY FOR
4 AN EFFECTIVE AND EFFICIENT COLLATERAL ATTACK
5 IN DEFENDANTS FAVOR. DURING PRE TRIAL HEARINGS
6 THE COURT AND AUTHORITIES, PROSECUTION, DEFENSE
7 COUNSEL AND YOUR HONORABLE JUDGE JAMES O'
8 BROWNING CAME TO THE CONCLUSION TO HAVE
9 DEFENDANT SHACKLED AT THE LOWER LEGS WITH
10 TAPE ON THE CHAIN, SO IF DEFENDANT MOVED
11 DURING THE VOIR DIRE SELECTION OR JURY TRIAL,
12 THE JURY TRIAL WOULD NOT HEAR THE SHACKLES RATTLE
13 OR CLANG, THE COURT ALSO RECOMMENDED AN
14 ELECTRONIC CONTROLLED GADGET CALLED "THE BANDIT"
15 THAT GOES UP AROUND THE MALE WAIST AND
16 CONNECTS TO THE MALE GENITALIA'S THAT DELIVERS
17 AN EXTREMELY PAINFUL EXCRUCIATING SHOCK TO THE
18 SCROTUM OF A MAN. WHY SUCH A ELECTRONIC DEVICE
19 IS NEEDED WHILE TWO SUITED AND ARMED UNITED
20 STATES MARSHALS WERE PRESENT FOR PROTECTION
21 OF THE COURT IS BEYOND THE DEFENDANTS THINKING.
22 DEFENDANT DEFINITELY DID NOT CONSENT TO SUCH
23 AN INHUMANE DEVICE TO BE WORN, THAT IS CRUEL
24 AND UNUSUAL PUNISHMENT AND A HEDIOUS FORM
25 OF TORTURE PROTECTED BY THE EIGHTH CONSTITUTIONAL
26 AMENDMENT AND DUE PROCESS OF LAW, AND EQUAL
27 RIGHTS ~~OF~~ PROTECTION. HOWEVER THE HONORABLE
28 JUDGE JAMES O' BROWNING ORDERED THAT DEFENDANT

1 BE SHACKLED AT THE LOWER LEGS, BOTH THE
2 PROSECUTION AND DEFENSE COUNSEL TABLES WERE
3 DRAPED BY BLACK CURTAINS SO VOIR DIRE SELECTION
4 AND JURY TRIAL COULD NOT SEE LOWER LEG
5 SHACKLES ON DEFENDANT WHO WAS ORDERED TO
6 KEEP LEGS UNDER TABLE. THE HONORABLE JUDGE
7 JAMES O' BROWNING ALSO ORDERED THE PROSECUTION,
8 DEFENSE COUNSEL, COURT CLERKS, AND DEFENDANT
9 NOT TO STAND AT ANY TIME DURING JUDGES
10 OF VOIR DIRE, JURY TRIAL ENTERING COURTROOM
11 VENUE. THIS IS A SERIOUS UNLAWFUL DUE
12 PROCESS OF LAW, AND EQUAL RIGHTS OF PROTECTION
13 WHICH IS AFFIRMATIVE THROUGH TRANSCRIPTS
14 OF COMPLETE PROCEEDINGS. THE MERE FACT THAT
15 PROSECUTION, DEFENSE COUNSEL, COURT CLERKS
16 AND DEFENDANT NOT STANDING IS A PREJUDICIAL
17 ACTION THAT IN THE EYES OF VOIR DIRE AND
18 JURY TRIAL IS A NEGATIVE ILLUSION CREATED
19 BY THE ABUSE OF ARBITRARY POWER OF YOUR
20 HONORABLE JUDGE JAMES O' BROWNING, AND
21 DEFENDANTS DEFENSE COUNSEL FOR NOT REBUTTING
22 OR OBJECTING TO SAID TREATMENT IN PRE TRIAL
23 HEARINGS OR TRIAL IS A VERY SERIOUS MATTER
24 FOR THE NEW MEXICO DISCIPLINARY BOARD TO
25 CONSIDER.

26 ONE MORE ITEM OF CONCERN WAS CELL
27 PHONES, THE GENERAL PUBLIC THAT CAME TO VIEW
28 THE PROCESS OF LAW HAD TO CHECK IN THEIR

1 CELL PHONES AT A CHECK POINT OUTSIDE THE
 2 COURTROOM. WHY WAS THE PROSECUTION,
 3 DEFENSE COUNSEL, FBI, NEW MEXICO STATE
 4 POLICE, AND JURY TRIAL OF FOURTEEN PEOPLE
 5 ALLOWED TO HAVE AND USE THEIR
 6 CELL PHONES AS THE JUDGE SAID NO USE
 7 OF CELL PHONES ALLOWED AT JURY TRIAL?
 8 THE DEFENDANT WATCHED THE PROSECUTION,
 9 DEFENSE COUNSEL, FBI, NEW MEXICO STATE
 10 POLICE AND JURY TRIAL USE THEIR CELL
 11 PHONES AFTER STRICT ORDERS FROM THE
 12 JURY TRIAL JUDGE EXPLICITLY ORDER
 13 ALL CELL PHONES NOT TO BE USED.
 14 DEFENDANTS MAIN CONCERN HERE IS, IF
 15 CELL PHONES WERE USED AND THEY WERE,
 16 HOW DID THE VERDICT GET TAINTED?
 17 DUE PROCESS OF LAW, AND EQUAL RIGHTS
 18 OF PROTECTION VIOLATED AGAIN.

19 DEFENDANT TERMINATED KEN GLERIA
 20 AND ASSOCIATES IMMEDIATELY FOLLOWING
 21 TRIAL BEFORE COMPLETION OF CONTRACTIAL
 22 AGREEMENT, DUE TO BLANTENT AND SHAMEFUL
 23 INEFFECTIVE ASSISTANCE OF COUNSEL AND DUE
 24 PROCESS OF LAW, AND EQUAL RIGHTS OF PROTECTION
 25 THROUGHOUT THE ENTIRE CONTRACTIAL SIGNING
 26 OF AGREEMENT, DEFENDANT ASKS THE NEW
 27 MEXICO DISCIPLINARY BOARD TO REVIEW
 28 THESE HEINOUS AFFIRMATIVELY ILLEGAL

ACTIONS OF ALL INVOLVED, DEFENDANT ALSO PAID
 \$35,057 FOR THE SERVICES OF KEN GLERIA AND
 ASSOCIATES, AS DESCRIBED IN THIS MEMORANDUM,
 THE DEFENDANT SEEKS A REFUND IN THE
 AMOUNT OF \$35,057 (SIC). THE REMAINING
 BALANCE TO BE ISSUED FOR SERVICE RENDERED,
 DEFENDANT ALSO ASK FOR THE NEW MEXICO DISCIPLINARY
 BOARD TO CONSIDER PLACING SANCTIONS UPON
 KEN GLERIA AND ASSOCIATES FOR A COMPLETE
 GROSS NEGLIGENCE OF THE A.B.A.'S MODEL RULES
 OF PROFESSIONAL ETHICS CONDUCT IN THE
 CASE OF DEFENDANT, MICHAEL J. NISSEN.

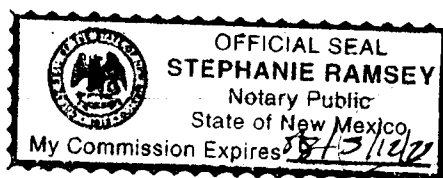
I LOOK FORWARD TO AND ANTICIPATE
 A PROMPT AND TIMELY RESPONSE TO THIS
 SERIOUS VIOLATION OF THE CONSTITUTION
 OF THE UNITED STATES OF AMERICA. MAY
 GOD BLESS AMERICA.

DATE: 08/26/2019

RESPECTFULLY, UNION STATE
 NON CITIZEN NATIONAL,

Michael J. Nissen

MICHAEL J. NISSEN



Stella

ATTORNEY OR DEFENDANT WITHOUT ATTORNEY (NAME, ADDRESS) MICHAEL J. NISSEN REGISTER NO: 02508151 P.O. BOX, 3540 MILAN, NEW MEXICO 87021	RESERVED FOR CLERKS FILE STAMP
UNITED STATES DISTRICT COURT 333 LOMAS BLVD NW ALBUQUERQUE, NEW MEXICO 87102	
DEFENDANT; MICHAEL J. NISSEN 03/08/1965	
PROOF OF SERVICE BY MAIL	

- 1) I AM OVER THE AGE OF 18 AND NOT A PARTY TO THIS ACTION.
- 2) I SERVED THE FOLLOWING; 28 U.S.C. § 2241 HABEAS CORPUS
- 3) I SERVED A COPY OF THE DOCUMENTS ON 09/05/2019 AS FOLLOWS
(DATE)
☒ BY MAIL; I SERVED THE DOCUMENTS BY ENCLOSING THEM IN AN ENVELOPE AND DEPOSITING THE SEALED ENVELOPE WITH THE UNITED STATES POSTAL SERVICE WITH THE POSTAGE FULLY PREPAID TO THE ADDRESS SHOWN BELOW:
- UNITED STATES DISTRICT COURT
333 LOMAS BLVD NW
ALBUQUERQUE, NEW MEXICO 87102

4) I AM:

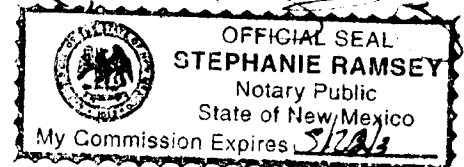
☒ NOT A REGISTERED NEW MEXICO PROCESS SERVER.

5) MY NAME, ADDRESS, TELEPHONE NUMBER

PAUL G. CARRILLO, JR.

6503 KARLSON DR. NE

ALBUQUERQUE, N.M. 87113

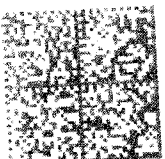


6) I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEW MEXICO THAT THE FOREGOING IS TRUE AND CORRECT: DATE: 09/05/2019

PAUL G. CARRILLO, JR.
(TYPE OR PRINT NAME OF PERSON
WHO SERVED THE PAPERS)

(SIGNATURE OF PERSON WHO
SERVED THE PAPERS)

PROOF OF SERVICE BY MAIL



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UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 09 2019

MITCHELL R. ELFERS
CLERK

UNITED STATES DISTRICT COURT
333 LOMAS BLVD NW
ALBUQUERQUE, NM 87102

[Handwritten signature]

MICHAEL NISSEN
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